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7 **UNITED STATES BANKRUPTCY COURT**
8 **WESTERN DISTRICT OF WASHINGTON**

9 JESSICA R. JONES

) NO. 11-40749

10 Debtor/Plaintiff)

vs.

) **COMPLAINT FOR ADVERSARIAL**
) **PROCEEDING**

11 LAKESIDE-MILAM RECOVERY)
12 CENTERS, INC.; UBI No: 600487526)

13 Defendant)
_____)

14 **COMES NOW** the Plaintiff, Debtor, **JESSICA JONES**, by and through her Attorney,
15 **DAVID C. HAMMERMASTER** and alleges as follows:

16 **I.**

17 That Plaintiff is a resident of Pierce County, Washington and subject to the jurisdiction of
18 this Court.

19 **II.**

20 That Defendant, **LAKESIDE-MILAM RECOVERY CENTERS, INC.**, (hereafter
21 referred to as "**MILAM**") is licensed to conduct business in the State of Washington and is
22 subject to the jurisdiction of this Court.

23
24 Complaint

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1 **VIX.**

2 That Defendant violated the automatic stay by attempting to collect a debt during said
3 period.

4 **X.**

5 That the Defendant received additional notices in written form from Plaintiff's attorney
6 demanding a return of funds garnished and to cease all further attempts to garnish additional funds
7 which Defendant ignored and did not respond.

8 **XI.**

9 That Defendant, **MILAM**, has shown a complete disregard for federal bankruptcy law and
10 has intentionally violated the automatic stay provisions thereof.

11 **XII.**

12 That the monies sought to be recovered by this action are exempt and have been claimed
13 exempt by the Plaintiff herein.

14 **XIII.**

15 The funds sought to be recovered by this action are avoidable by the Trustee under 11
16 U.S.C. 547(b).

17 **XIV.**

18 The Trustee has not attempted to avoid this preferential transfer.

19 **XV.**

20 That the property sought to be recovered by this action was not voluntarily transferred by
21 the Debtor.

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XVI.

The Debtor did not conceal the property prior to it's seizure by the Defendant herein.

XVII.

The amount sought to be recovered by this action for each of the Defendant is more than \$600.00, to-wit: \$613.40 from **MILAM**.

XVIII.

That, pursuant to 11 U.S.C. 547(b) and 11 U.S.C. 522(h), Plaintiff is entitled to reimbursement of all wages garnished as described herein.

XVIII.

That in consideration of Defendant's violation of the automatic stay, fees, penalties, and attorney's fees should be assessed and awarded as the Court deems appropriate.

WHEREFORE, having stated the aforementioned allegations, the Plaintiff hereby prays for the following relief:

1. Judgement against the Defendant, **MILAM**, in the amount of \$613.40.
2. An award of fines, penalties and reasonable attorney's fees and costs.

DATED this 2 day of May, 2011.

HAMMERMASTER LAW OFFICES, PLLC


DAVID C. HAMMERMASTER

WSBA #22267

Attorney for Debtor/Plaintiff